

FILE COPY
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 532
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

LEONARD GREEN
CLERK

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Filed: May 16, 2005

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RE: 04-310 033848
in re: Ford Motor Co vs.
District Court No. 00-00458

Enclosed is a copy of an order which was entered today in the above-styled case. This order will be construed as a notice of appeal and will be assigned a permanent case number.

Leonard Green, Clerk

(Ms.) Michelle M. Davis
Case Manager

UNITED STATES COURT OF APPEALS
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MAY 16 2005

In re: FORD MOTOR COMPANY,

Petitioner.

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LEONARD GREEN, Clerk

ORDER

Before: KENNEDY, MOORE, and SUTTON, Circuit Judges.

The defendant petitions for permission to take an interlocutory appeal of a class certification order pursuant to Fed. R. Civ. P. 23(f). The plaintiff opposes the petition.

Fed. R. Civ. P. 23(f) grants the courts of appeals discretion to hear interlocutory appeals of class certification rulings. *See In re Delta Air Lines*, 310 F.3d 953 (6th Cir. 2002), *cert. denied*, 539 U.S. 904 (2003). Upon consideration, we conclude that interlocutory review of the class certification order is warranted. The petition for permission to appeal is **GRANTED**.

MOORE, Dissenting.

Judge Moore would deny the petition for permission to appeal.

ENTERED BY ORDER OF THE COURT


Clerk